

REMARKS

Reconsideration of the present application is respectfully requested. Claims 1, 19, 27 and 31 have been amended. Claims 1 – 31 are currently pending.

Rejections based on 35 U.S.C. § 103

Claims 1 – 31 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Petropoulos, *et al.*, U.S. Publn. No. 2003/0146939 (hereinafter “Petropoulos”), in view of Martinez, *et al.*, U.S. Publn. No. 2004/0205633 (hereinafter “Martinez”). Applicants have amended independent claims 1, 19, 27 and 31 in response to this rejection. Claims 1, 19, 27 and 31 now require a “content selection algorithm that selects said actual content by analyzing said set of data to identify portions of said set of data that contain content associated with at least one of a plurality of pre-selected characteristics and that extracts said content associated with the identified portions for display by said preview display.” Applicants respectfully submit that neither Petropoulos nor Martinez teach or suggest the content selection algorithm recited by amended independent claims 1, 19, 27 and 31.

Petropoulos does not contemplate the use of a content selection algorithm for different file types. *See* Office Action at page 3. To teach a content selection algorithm, the Office Action relies on Martinez. Martinez discloses a preview utility configured to provide preview displays for a variety of different file formats. Martinez, para. 29. Martinez relies on two different techniques to generate its previews. Martinez, para. 29- 31. For files having image headers stored in their metadata, Martinez teaches using these pre-determined images as the preview display. Martinez, para. 30- 31. For image files (such as bitmaps), Martinez teaches displaying a “preview of the file using its actual content as a browser would.” Martinez, para.

29. Likewise, for files that do not contain image headers, Martinez teaches use of “thumbnail sketches” for use in providing a preview display. Martinez, para. 31.

The use of pre-generated image headers contained in a file’s metadata as a preview image may be easily distinguished from the claimed invention. As these images are pre-generated, they do not rely on a “content selection algorithm.” Rather, the pre-generated images are simply placed in the file’s header, and, thus, there is no need to do any “content selection.”

The rendering of an image file or a thumbnail view as a preview image may also be easily distinguished from the claimed invention. Like the previously-discussed image headers, the simple rendering of an image does not contemplate “analyzing said set of data to identify portions of said set of data that contain content associated with at least one of a plurality of pre-selected characteristics.” Rather, the image (or a portion thereof) is simply rendered “as-is” or as a browser would display the image. Martinez, para. 29 and 31. Indeed, the only alteration of the image for a preview display taught by Martinez is the adjustment of the image’s size to fit the previewer. Martinez, para. 29. Moreover, the only arguable “analysis” of a file’s content taught by Martinez is the determination of the file type and whether there is a pre-stored image header available for use as a preview. Martinez, para. 29-30. Such analysis, of course, does not contemplate analyzing the various portions of the underlying file data so as to identify the portions containing “content associated with at least one of a plurality of pre-selected characteristics,” as required by the amended independent claims. Petropoulos also does not contemplate such analysis or the use of a content selection algorithm. Accordingly, neither Martinez nor Petropoulos, either alone or in combination, teach or suggest each and every aspect recited by amended independent claims 1, 19, 27 and 31. Accordingly, Applicants respectfully submit that independent claims 1, 19, 27 and 31 are in condition for allowance.

Applicants also submit that dependent claims 2 - 18, which depend from claim 1, are in condition for allowance for at least the same reasons discussed above with respect to claim 1. Further, Applicants submit that dependent claims 20 - 26, which depend from claim 19, are in condition for allowance for at least the same reasons discussed above with respect to claim 19. Applicants also submit that dependent claims 28 - 30, which depend from claim 27, are in condition for allowance for at least the same reasons discussed above with respect to claim 27.

Conclusion

For the reasons stated above, claims 1 – 31 are now in condition for allowance. If any issues remain which would prevent issuance of this application, the Examiner is urged to contact the undersigned prior to issuing a subsequent action. The Commissioner is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-2112.

Respectfully submitted,

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